

***Amendments to and Listing of the Claims:***

This listing of the claims will replace all prior versions, and listings, of claims in the application. Please amend claims 1-4, 6, 11, and 14, wherein strikethroughs and double brackets indicate deletions and underlining indicates additions, as follows:

1. (Currently Amended) A fiducial marker holder apparatus for image-guided surgery comprising:

an open-ended frame having first and second arms, the open-ended frame being configured to be removably attached to a maxillary holding device and a first marker attachment device being disposed at a distal end of the first arm, the first marker attachment device having at least one marker attachment point that receives fiducial markers; and

a second marker attachment device disposed at a distal end of the second arm of the open-ended frame, the second marker attachment device having a plurality of marker attachment points that receive fiducial markers, at least a portion of the second marker attachment device being disposed at an angle with respect to the second arm, at least two of the marker attachment points of the second marker attachment device being configured to receive fiducial markers in different orientations with respect to the second marker attachment device and each other.

2. (Currently Amended) The fiducial marker holder apparatus according to claim 1, wherein the second marker attachment device is movably attached to the second arm of the open-ended frame.

3. (Currently Amended) The fiducial marker holder apparatus according to claim 2, wherein at least one of the first and second marker attachment devices ~~device~~ is configured to be fixedly oriented in more than one position.

4. (Currently Amended). The fiducial marker holder apparatus according to claim 1, ~~further comprising an additional marker attachment device disposed at a distal end of the first arm of the open-ended frame, the additional~~ wherein at least a portion of the first marker attachment device is disposed at an angle with respect to the first arm, the first marker attachment device having a plurality of marker attachment points that receive fiducial markers.

5. (Previously presented) The fiducial marker holder apparatus according to claim 1, wherein the marker attachment points are each configured as one of a threaded socket, a threaded post, a through-hole, a post, a socket and a detent.

6. (Currently Amended) A fiducial marker holder apparatus for image-guided surgery comprising:

a maxillary holding device configured to be temporarily secured to only a maxillary-region of a patient;

an open-ended frame having first and second arms, the open-ended frame being configured to be removably attached to the maxillary holding device, the first arm having at least one marker attachment point that receives fiducial markers and the second arm having a plurality of marker attachment points that receive fiducial markers, at least two of the marker attachment points of the second arm being configured to receive fiducial markers in different orientations with respect to the open-ended frame and each other, at least one of the first arm and the second arm having a first portion and a second portion extending at an angle from the first portion.

7. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the open-ended frame is rigid.

8. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the open-ended frame is formed of one of a carbon-fiber material, a non-metallic composite, and a polymeric material.

9. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the marker attachment points are each configured as one of a threaded socket, a threaded post, a through-hole, a post, a socket and a detent.

10. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the second arm has a first portion and a second portion extending at an angle from the first portion.

11. (Currently Amended) The fiducial marker holder apparatus according to claim [[6]] 10, wherein the first arm has a plurality of marker attachment points that receive fiducial markers and the first arm has a first portion and a second portion extending at an angle from the first portion.

12. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the maxillary holding device includes a locking dental acrylic resin splint that is custom molded for a particular patient.

13. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the maxillary holding device is fastened directly to the patient by fasteners.

14. (Currently Amended) A fiducial marker holder system for image-guided surgery comprising:

a maxillary holding device having a first clamping part, a second clamping part and a fixing tool, the fixing tool being configured to temporarily secure the first and second clamping parts to only a maxillary-region of a patient;

an open-ended frame having first and second arms, the open-ended frame being configured to be removably attached to the maxillary holding device, the first arm having at least one marker attachment point that receives fiducial markers and the second arm having a plurality of marker attachment points that receive fiducial markers, at least two of the marker attachment points of the second arm being configured to receive fiducial markers in different orientations with respect to the open-ended frame and each other, at least one of the first arm and the second arm having a first portion and a second portion extending at an angle from the first portion; and

a reference emitter configured to be removably attached to the maxillary holding device or the open-ended frame.

15. (Previously presented) The fiducial marker holder system according to claim 14, wherein the open-ended frame is formed of a rigid material.

16. (Previously presented) The fiducial marker holder system according to claim 14, wherein the first arm has a plurality of marker attachment points that receive fiducial markers.

17. (Previously presented) The fiducial marker holder apparatus according to claim 14, wherein the marker attachment points are each configured as one of a threaded socket, a threaded post, a through-hole, a post, a socket and a detent.

18-19. (Cancelled).

20. (Previously presented) The fiducial marker holder apparatus according to claim 1, wherein at least three of the marker attachment points of the marker attachment device are configured to receive fiducial markers in different orientations with respect to the marker attachment device and each other.

21. (Previously presented) The fiducial marker holder apparatus according to claim 6, wherein the second arm has a first portion and a second portion extending at an angle from the first portion, the first portion having at least one marker attachment point and the second portion having at least two marker attachment points.